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Soap Lake, Washington 98851
May 20, 2003

Barry L Carpenter
Deputy Administrator
1400 Indendence Ave. S.W.
Washington, DC 20250-0249

Dear Sir:

Enclosed are my comments and suggestions concerning the USDA informational and listening sessions held in Pasco, Washington on May 2, 2003.

Thank you for your interest in these matters.

Yours truly,

A handwritten signature in cursive script that reads "I. Oliver Brown".

I. Oliver Brown

This response to the USDA informational and listening sessions on Country of Origin Labeling held at Pasco, Washington May 2, 2003 will cover four areas.

Initially, I must respond to the remarks from the retailers. One retailer who was represented has been accused according to an Associated Press article of selling farm raised salmon that had been fed a color additive to make the flesh pink. Now that the retailer has been caught in what can be construed as a deceptive practice, they will advise customers of the "color added". It appears more than one retailer in this situation was not totally forthcoming about the origin of salmon.

For a retailer to commit this deceptive practice when the COOL regulations are being promulgated appears to be the height of arrogance. The consumer was misled on fish, what about the origin of meat?

The retailers complained about the multiple products that country of origin. There were further allegations that consumers really weren't interested in where their food came from.

First, retailers have expanded the product lines for many years to increase sales and profits. Profits are a wonderful incentive to any business. However, in the case of Albertsons, according to "Value Line" these profits have not been returned as dividends, prior to 2002 more than 50% of profits were not paid as dividends, eg profits not returned to the owner investors.

With the retailers electronic capabilities tracking the sale of a product line is simple. If US produced beef or pork or lamb does not justify stocking, sell only items that are not produced in the USA. What an opportunity for some bright entrepreneur to advertise and feature products of the USA.

NO! Albertsons, Tidyman's, Safeway, Krogers and others will be like a dog in the manger, they will expand their product line out of greed. If as a result of their "Loyalty Cards" they find that an item does not justify counter space then they have a management decision.

Frankly, when a rumor circulated relative to a national grocery chain handling only Australian or New Zealand lamb, I complained to the local management. The response was that it was not true, it was all a misunderstanding. This I do not believe.

I am not anti-business and my attitude in previous times has been pro-business, but after the Pasco session and a bit of research, I believe the input from the grocery industry does not reflect an honest approach to COOL. What it does reflect is an attempt to further deceive and mislead the US consumer. Frankly it appears to me that the national grocery chains are the enemy.

The second area of my comments relate to processed food items. This is an area that is fraught with problems. Some of the USDA examples of excluded items will be used to circumvent the intent of COOL. The main component of "Beef Wellington" is beef, cooking and adding condiments does not change the fact that it is beef.

Apple slices in a pie crust equals apple pie. Peach slices in a pie crust equals peach pie. Excluding does not jibe with required labeling for solution enhanced and seasoned pork loin.

Furthermore, cooking, curing, smoking, or restructuring meat, fish, or shellfish or adding ingredients to ground meat will allow further subversions of the law. Also, if fruit juice is imported what is so difficult for the producing country to label it thusly? Washington apples and Idaho potatoes have world wide reputations.

I take it that fruit juice included frozen fruit juice? If I produce peas and carrots that were processed by being frozen I would feel a level of distrust due to the difference in labeling requirements.

COOL serves a purpose to inform consumers as to the origin of their food supply so they may make an intelligent choice in the market place. It is also an opportunity for the US producer to have his product identified. Many people believe that USDA choice beef is a product of the US when this may not be the case.

Retailers, packers, and even cattle feeders complained of costs. Proper regulations and enforcement of COOL and the assessment of the cost of the regulations to importers appears appropriate. The US with it's strong dollar is an attractive market and as such let the importing beneficiaries support their share of the costs.

It is difficult to believe National and multi-national companies do not have the expertise. If not they should immediately launch a search for personnel that are not interested in the status quo and their stock options. Henry Ford hired people who were not encumbered with preconceived limitations on a difficult project.

My input at Pasco centered on Keep It Simple. I'll stand by this approach especially relative to the identification of livestock.

First, let me explain my operation. I purchase light weight steer calves during the fall and winter. These calves are fed a relatively high forage ration with a maximum of 3 to 4 pounds of grain a day. In the spring these calves are pastured on irrigated grass until they weigh approximately 800 pounds. They are then sold to cattle feeders for finishing. For my information an effort is made to ID the origin of each calf. In about 95% of the cases this is very easy. My concern with ID's is who raised the cattle, the vaccinations the cattle have received and secondarily, the medication the cattle may have received. Each steer has an ID tag so I may track the individual animals rate of gain and other factors. If I find cattle from specific producers who do not respond to my management, I will avoid purchasing those cattle in the future. We are a small operation that must evolve to survive.

I have never purchased cattle originating from Canada or Mexico that I can ascertain.

Various packers indicate they have a problem with COOL in identifying cattle that are not domestically produced. They want third party verification which is not in the law.

The Theory, Presumption of Domestic Origin is a strong premise. With the proper inspection, livestock of domestic origin do not have to be a problem.

Input at Pasco indicated ear tags are not permanent as I can testify from my operation. Metal ear tags are also removable. However, a permanent and virtually fool proof ID system is branding. Each live animal entering the US after September 30, 2004 be branded on the jaw so as to identify the country of origin's. This brand would be a simple manner for a permanent ID of import. An animal thusly branded is easily segregated when it is harvested. Since live animals are not a covered commodity this would not be in violation of Sec. 282 of the law. Stocker and feeder cattle moving from the Northern tier states to Canada are identified with a metal tag. Frankly, if a group of light weight Canadian steer calves were at an auction market, I want to know their origin, at that point a management decision is made and based on my judgment a purchase may occur. However, I am forewarned with the brand, that I face specific problems. I also can alert subsequent purchasers, of the cattle origin.

Any animal not identified with this jaw brand is presumed to be of domestic origin.

One special area of concern is of cull cows and bulls. This area is the weak portion of the statute. However, it is not overwhelming. Given recorded brands and Brucellosis vaccination tags a reasonable audit trail on many western cows can be established.

Some conjecture regarding reaction from trading partners was expressed, perhaps, I should not submit input as some feeder or packer might react negatively to my input as some and find some reason to discriminate against my cattle.

Finally PLEASE use terms harvested or processed in place of slaughtered.